

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND (GREENBELT)**

VELMA MELTON,
Plaintiff,
vs.

CASE NO. 8:19-cv-209

SELECT PORTFOLIO SERVICING, INC. et al,
Defendants.

**PLAINTIFF VELMA M. MELTON'S REPLY TO
DEFENDANT PRESTIGE'S OPPOSITION TO PLAINTIFF'S MOTION TO AMEND
SCHEDULING ORDER**

COMES NOW, Plaintiff, Velma M. Melton, by and through undersigned counsel, submits her reply to Defendant Prestige's ("Prestige") Opposition to Plaintiff's Motion to Amend Scheduling Order, and in support thereof states:

1. Defendant Prestige asserts Plaintiff has failed to show good cause for untimely filing the motion to amend scheduling order. Contrary to Defendant's assertion, the Plaintiff's need to amend the scheduling order is due to delayed discovery responses from the Defendants. Indeed, each Defendant, including Prestige, has requested an extension to provide discovery responses. Further, and as expected, each Defendant has asserted boilerplate objections and refused to file responses to most requests. As the date of this filing, Plaintiff has not received complete responses to her discovery responses from any of the Defendants. Ironically, Prestige has been the most dilatory with its discovery responses being that Prestige was the first defendant that Plaintiff served back on April 30, 2019. Plaintiff expects to serve motions to compel to at least one defendant, Prestige, before August 1, 2019 and several more thereafter.

2. Defendants' failure to provide responses to Plaintiff's discovery hampers Plaintiff's ability to produce her expert report. The information the expert needs to determine whether the defendants' procedures were reasonable is in the possession of the defendants. Thus, Plaintiff is

dependent on the defendants providing responses to her discovery requests before she can produce an expert report. Therefore, notwithstanding Plaintiff's diligent efforts to obtain the facts, documents and evidence to produce her expert report, she has not been able to obtain the information, and therefore good cause exists to amend the scheduling order and extend the deadline for expert disclosures.

3. Plaintiff proposed a 180-day month after conversing with all the other defendants. All the Defendants agreed to the proposed extension. Initially, Prestige's counsel stated, "[He] may be able to work out if other defendants agree to 180 day extension." Not sure what that exactly meant, Plaintiff's counsel waited to receive a definitive answer from Defendant's counsel as to Prestige's position on the filing of the extension request. As the deadline to file the motion to amend the scheduling order approached, Prestige's counsel still had not stated whether it would consent to the proposed relief. On the day of the deadline, Prestige's counsel stated that he had not obtained authority to agree to 180-day extension, but stated he would contact Plaintiff before the end of the business day to advise him of what Prestige was willing to agree to. Prestige's counsel never contacted Plaintiff.

4. Plaintiff respectfully requests that this Court grant it adequate time to complete discovery given the complexity of this matter, the delay caused by Sterling's filing of its meritless Motion to Dismiss and the overall evasive nature of discovery responses received from every defendant in this case thus far.

Dated: July 17, 2019

Respectfully Submitted,

/s/ Kevin C. Williams
Kevin C. Williams, Esq., No. 18072
Law Office of Kevin Williams, LLC
8025 13th Street, Suite 107
Silver Spring, MD 20910
301.399.1700
kevin@kwesquire.com

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of July, 2019, I will electronically file the foregoing with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all counsel of record.

By: /s/ Kevin Williams
Kevin Williams #18072
Law Office of Kevin Williams, LLC
8025 13th Street, Suite 107
Silver Spring, MD 20910
Tel: (301) 399-1700
kevin@kwesquire.com
Counsel for Plaintiff